

EXHIBIT 38

PRIME CARE MEDICAL, INC.MORTALITY REVIEW
ATTENDANCE SIGN-INFacility: Bucks Co. Correctional Facility Date: 9/12/18 Time: 1430Patient: Charles Freitag

Your signature below signifies your agreement to maintain the confidentiality of any and all information disclosed throughout the Mortality Review process. Each individual agrees they will not use or disclose any information obtained as a party to the Mortality Review process.

NAME	TITLE	SIGNATURE
1. <u>Alynn Zernhelt</u>	<u>RN/HSA</u>	<u>A. Zernhelt</u>
2. <u>Lillian Budd</u>	<u>Asst. Warden</u>	<u>Lillian Budd</u>
3. <u>Abbey Cassidy</u>	<u>Director, CMHS</u>	<u>Abbey Cassidy PsyD.</u>
4. <u>Greg Landis</u>	<u>CAPTAIN</u>	<u>Greg Landis</u>
5. <u>Clifton Mitchell</u>	<u>Deputy Warden</u>	<u>Clifton Mitchell</u>
6. <u>Kevin M. Roussier</u>	<u>Superintendent</u>	<u>Kevin M. Roussier</u>
7. <u>Paul K. Lagana</u>	<u>Warden</u>	<u>Paul K. Lagana</u>
8. <u>David Damskerr</u>	<u>BCDH</u>	<u>David Damskerr</u>
9. <u>Lauren Byce</u>	<u>Admin Sup</u>	<u>Lauren Byce</u>
10. <u>Kelly Chaich</u>	<u>Jr. V.P.</u>	<u>Kelly Chaich</u>
11. <u>Todd Haskins</u>	<u>VP of Ops</u>	<u>Todd Haskins</u>
12. <u>Jessica Mahoney</u>	<u>PsyD.</u>	<u>Jessica Mahoney</u>
13. <u>V. Gosselin</u>	<u>Warden</u>	<u>V. Gosselin</u>
14. <u>Jessica Thomas</u>	<u>RN/DON</u>	<u>Jessica Thomas, RN/DON</u>
15. <u>Davis W. Barthelme</u>	<u>RN/ADON</u>	<u>Davis W. Barthelme, RN, ADON</u>
<u>Emily Scordellis, PsyD</u>	<u>MA Psy, Mgr</u>	<u>Emily Scordellis, PsyD</u>
<u>He-Diane Glashten</u>	<u>Comm</u>	<u>He-Diane Glashten</u>
<u>Phn. P. H. H.</u>	<u>Director Doc.</u>	<u>Phn. P. H. H.</u>

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**Bucks County Correctional Facility
Clinical Mortality Review**

**September 12, 2018
Bucks County Correctional Facility Conference Room**

**Confidential and Privileged Information
Mortality Review**

Participants:

Chris Pirolli, Director, BCCF
Paul Lagana, Warden, BCCF
Cliff Mitchell, Deputy Warden, BCCF
Lil Budd, Assistant Warden, BCCF
Greg Landis, Captain, BCCF
Kevin Rousset, Superintendent MCCC/WCCC
Diane Marseglia, Bucks County Commissioner
David Damsker, MD, Health Department Director, HD
Sue Ward, RN, Health Department, HD
Char Bendas, RN, Health Department, HD
Lauren Joyce, AA, Health Department, HD
Todd Haskins, Vice President of Operations, PCM
Kelly Ehrich, Junior Vice President of Operations, PCM
Emily Scordellis, PsyD, Mental Health Regional Manager, PCM
Victoria Gessner, MD, Medical Director, PCM
Jessica Thomas, RN, Director of Nursing, PCM
David Barthold, RN, Assistant Director of Nursing, PCM
Jessica Mahoney, PsyD, PCM
Abbey Cassidy, PsyD, PCM
Facilitated by: Alynn Zernhelt, Health Service Administrator, PCM

The meeting began with an explanation that the purpose of this meeting is to conduct a Mortality Review, as is required by **NCCHC Standard J-A-10**. The review is to assess and determine the appropriateness of the clinical care; whether corrective action in terms of policies, procedures or practices is warranted; and whether there are trends requiring further study. This is also a **Peer Review** protected from disclosure by the **Pennsylvania Peer Review Protection Law**; that means what is said here and later put in writing is confidential and solely for the benefit of those in attendance.

Death of:	Freitag, Charles BCCF No. 2018003096
DOB:	08/31/1960 (57)
Booking Date:	06/04/2018 1428
Charges:	Aggravated Assault

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Housing Unit:	B Module, Cell 03
Cause of Death:	Suicide- Incised Wounds of Arms
Date of Death:	08/25/2018
Time of Death:	1119
Pronounced by:	Warrington and Central Bucks Ambulance Companies
Autopsy:	08/27/2018 0700

Administrative Review/Actions:

See attached administrative review completed by Warden Paul Lagana.

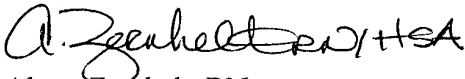
Clinical Mental Health Enhancements:

State commitments and high profile cases are placed on a Level 2.

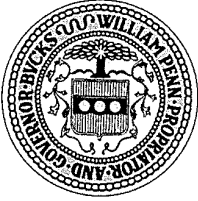
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The medical record of Charles Freitag is sealed.

Respectfully Submitted,



Alynn Zernhelt, RN
Health Service Administrator
September 12, 2018



County of Bucks

DEPARTMENT OF CORRECTIONS
1730 South Easton Road, Doylestown, PA 18901
(215) 345-3700 Fax (215) 345-3846
bucksdoc@buckscounty.org



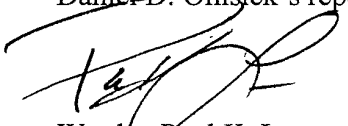
County Commissioners

ROBERT G. LOUGHERY, *Chairman*
CHARLES H. MARTIN, *Vice Chairman*
DIANE M. ELLIS-MARSEGLIA, *LCSW*

Christopher A. Pirollo, *Director*
Paul K. Lagana, *Warden*
Kevin M. Rousset, *Superintendent*

September 9, 2018

In regards to the death of inmate Charles Frietag on 8/25/18, please refer to BCCF Investigator Daniel D. Omisick's report.



Warden Paul K. Lagana

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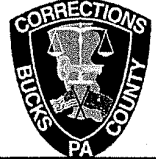


Bucks County Department of Corrections

1730 Easton Road, Doylestown, PA 18901

Special Investigation Unit

Incident Report



Date of Report: 08/25/2018	Day: Saturday	Investigator: Onisick, Daniel	ORI#:	Incident #: 18-386-48	UCR: 48 Death Invest
Source of Call: Referred		Date and Time of Incident: 08/25/2018 @ 1057		Case Status: Open / Investigation	
Crime or Incident: Suicide			Location of Incident – Address/Module: BCCF - B-3		
Subject: Victim	Name: CHARLES JOSEPH FREITAG				Date of Birth: 08/31/1960
Street Address or Module: 507 Beacon's Court, Apt A-1			Last four S.S.N. 0717		BCCF #: 125635
City: Bensalem		State: PA	Zip: 19020	Phone #	
<p>On August 25, 2018 at 1057 hours, B – Module Officer Robert MOODY responded to cell B-3 after being alerted by I/M John MONACHELLI #091313 who was walking passed the cell, that the inmate inside was “covered in blood”. Officer MOODY immediately responded to the cell and discovered IM Charles FREITAG #125635 slumped over the lower bunk, kneeling with his arms tucked beneath him in a pool of blood. Officer MOODY advised Officer Robert YOUNG to call a Medical Emergency and responding officers and medical personnel arrived on B Module and immediately began rescue efforts.</p> <p>LPN Kristin HILL-HAMBY arrived in cell B-3 and observed that IM FREITAG was face down on his bed and was unresponsive to verbal commands. LPN HILL-HAMBY rolled FREITAG over and noticed lacerations to both of his forearms. With the assistance of Lt. Michael BAHLAJ and Officer Margaret ANDREASEN, they pulled FREITAG onto the floor and began to administer CPR. Lt. BAHLAJ began chest compressions while LPN HILL-HAMBY and Officer ANDREASEN applied pressure to his wounds and advised additional staff to call 911. LPN HILL-HAMBY noted that during this initial assessment, IM FREITAG was not breathing and had no pulse.</p> <p>IM FREITAG was subsequently pulled from the cell into the dayroom due to the amount of blood in the cell and for additional room for responding medical personnel. An AED was brought to the scene and applied to IM FREITAG but shocks were not advised. Resuscitation efforts continued until Warrington and Central Bucks Ambulance arrived on scene at 1107 hours and took over medical care. The EMS crews continued with CPR but IM FREITAG was unable to be revived. Time of death was called at 1119 hours and the EMT crews departed the scene.</p> <p>At 1127 hours this investigator was notified via telephone by Investigator Anthony DISANDRO of the suspected suicide of I/M FREITAG. At 1139 hours I notified Bucks County Radio that there was a suspected suicide at BCCF and to notify the on-call Bucks County Detectives.</p> <p style="text-align: center;">“CONTINUED”</p>					

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Special Investigation Unit
Incident Report



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Soon thereafter, I was contacted by Detective Dave HANKS and explained the circumstances of the inmate's death. Detectives HANKS and Mike WALP responded to BCCF, arriving at approximately 1225 hours and met with Chief Investigator Frank BOCHENEK. The detectives and chief investigator conducted a review of the module video and determined that no entry was made into I/M FREITAG'S cell from 0916 hours until he was discovered by I/M MONACHELLI at 1055 hours. (See Attached Supplemental Report from Chief Investigator BOCHENEK). A timeline of the video review is posted below.

- 9:03:58 - I/M Justin KUNZMANN departs Cell B3
- 9:12:00 - I/M FREITAG exits Cell B3 for medication
- 9:16:00 - I/M FREITAG returns to Cell B3
- 10:04:19 - C/O Checks Cell B3
- 10:21:28 - C/O Checks Cell B3
- 10:55:39 - I/M MONACHELLI looks in cell and alerts C/O & Emergency Code called
- 10:57:08 - Medical Staff and Officers remove I/M FREITAG from Cell B3

I arrived at BCCF at approximately 1300 hours and met with Detectives HANK and WALP, along with Chief Investigator BOCHENEK in the Special Investigations Unit. Detectives HANKS, WALP and I proceeded to B Module to conduct our investigation. We examined and photographed the decedent's body which was still in the B Module dayroom. I/M FREITAG'S wounds were observed to be on his left and right inner forearms. There were (3) deep puncture wounds and scratches on his right arm, and a deep puncture wound/scratches on his left arm. The decedent's wounds were photographed and photos were placed in the case file.

A search of I/M FREITAG'S cell was conducted which revealed large pools of blood located towards the front portion of the bottom bunk by the desk and underneath the bunk. The front portion of the mattress was soaked in blood, and blood was also smeared on the wall. A jagged piece of plastic was discovered near a large pool of blood underneath the top portion of the bunk where the deceased's body was first discovered. The plastic is believed to be from a coffee cup that inmates are issued and permitted to utilize. This piece of plastic has been identified as the object used by the decedent to gauge holes into his left and right forearms to make contact with his arteries.

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Incident Report



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The remaining pieces of the cup were not located and assumed to have been discarded. Detective HANKS placed the recovered plastic item into evidence and assumed custody of same. The room was photographed for evidentiary value and the photos were placed into the case file.

Deputy Coroner Kristina A. JOHNSON from the Bucks County Coroner's Office, 850 Eagle Blvd. Warminster, PA 18974, (267) 880-5654, removed I/M FREITAG'S body from the B - Module dayroom at 1405 hours and advised that the autopsy was scheduled for Monday, August 27th, 2018 at 0700 hours. Investigator Anthony DISANDRO attended the autopsy for I/M FREITAG which was conducted by Dr. Ian HOOD. Dr. HOOD'S preliminary ruling is that FREITAG'S death was a suicide due to self-inflicted wounds consistent with the recovered piece of jagged plastic. (See attached Supplemental Report from Investigator Anthony DISANDRO).

At 1410 hours, Detectives HANKS, WALP and I, conducted interviews with B - Module Officers James YOUNG and Robert MOODY. Officer Young advised that he had contact with I/M FREITAG the evening before his death when he sent the inmate to court, and also escorted him back upon his return. Officer YOUNG advised that there was no conversation between him and FREITAG on either occasion. Officer YOUNG described I/M FREITAG as a model inmate. On the morning of FREITAG'S death, the bottom tier was at "Yard" from 9-11 AM. I/M FREITAG did not go out with the other inmates and exited his cell at approximately 0912 hours for his medication. FREITAG returned to his cell and did not come back out.

Officer MOODY stated that he was at the officer's podium when I/M MONACHELLI walked passed I/M FREITAG'S cell and stated, "This guy is covered in blood!" Officer MOODY opened the cell door and observed FREITAG kneeling against the top portion of the bunk with his arms tucked beneath him, facing towards the back of the bunk. MOODY advised YOUNG to call a medical emergency and attempted to keep the other inmates away from the cell until further assistance arrived.

I/M John MONACHELLI and FREITAG'S cellmate, I/M Justin KUNZMANN were interviewed by Detectives HANKS, WALP, and Investigator DISANDRO on 08/25/2018. (Refer to attached supplemental report by Investigator DISANDRO).

I reviewed I/M FREITAG's last phone call which was placed on 08/24/2018 at 1631 hours to his brother, Robert FREITAG at (267) 584-1250. I/M FREITAG apologized to his brother about his actions which lead to him being imprisoned. They discussed his sentence of 6 -12 years in a state penitentiary and I/M FREITAG did sound despondent during this conversation. I/M FREITAG did make mention of a prior suicide attempt with Robert, but made no mention of his impending plan to take his own life.

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Death notification was made by Deputy Warden Lillian BUDD to the decedent's brother, Robert FREITAG, 4142 Redwood Rd. Lafayette, PA, (267) 584-1250. Attempts to reach I/M FREITAG'S son, Charles, were unsuccessful.

The following list of Emergency Responders from Warrington and Central Bucks responded to BCCF for this incident:

John JENSON	EMT – Central Bucks
Katrina CRUMLISH	EMT – Central Bucks
Timothy DEPUTY	Paramedic – Central Bucks
Kimberly HUA	Volunteer – Warrington
Andrew SMITH	EMT – Warrington
Jonathan ZONSHEIN	EMT – Warrington
Lindsey LAUER	Paramedic - Warrington

Investigation to remain open pending Dr. HOOD'S official autopsy report.

Date: 08/30/2018

Officer Signature: *Daniel Onisick*

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